United States District Court Northern District of New York

Alisa An T)	Case 5:21-cv-00541-DNH
Plaintiff,)	
)	
)	
)	
)	David N. Hurd
v.)	United States District Judge
)	
Kilolo Kijakazi,)	Stipulation – Document Filed Electronically
Acting Commissioner of the Social)	
Security Administration)	
Defendant.)	April 28, 2022

Parties' Stipulation for Remand

The parties stipulate that the Commissioner's final decision be reversed and that this action be remanded to the Commissioner for further administrative proceedings pursuant to the fourth sentence of 42 U.S.C. § 405(g). Upon remand, the Appeals Council will remand to an Administrative Law Judge with instructions to further evaluate the opinion evidence; further assess the Plaintiff's subjective statements; reassess the Plaintiff's residual functional capacity; offer Plaintiff an opportunity for a hearing; and to take further action, as necessary, to complete the administrative record resolving the above issues; and issue a new decision. The parties consent to the entry of judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

		IT IS SO ORDERED:
Respectfully Submitted,		PA11/1
Kilolo Kijakazi,	Alisa An T	David N. Hurd U.S. District Judge
By Her Attorneys	By Her Attorney	4-29-2022
Carla B. Freedman,		Dated:

United States Attorney

/s/ Ronald W. Makawa

Ronald W. Makawa Special Assistant United States Attorney N.D.N.Y. Bar Roll No. 700979 Social Security Administration Office of the General Counsel J.F.K. Federal Building, Room 625 Boston, MA 02203 (617) 565-4283 ronald.makawa@ssa.gov /s/ Howard D. Olinsky
Howard D. Olinsky
Olinsky Law Group
250 South Clinton Street
Ste 210
Syracuse, NY 13202
(315) 701-5780
holinsky@windisability.com

Certificate of Service

I certify that I served this document upon counsel of record via the Court's ECF system.

/s/ Ronald W. Makawa Ronald W. Makawa

 $^{^{\}rm 1}$ Signed by Ronald W. Makawa with Howard D. Olinsky's permission.